

Item # \_\_\_\_\_

Prepared by: Michael Oakes  
Engineering

Approved by: \_\_\_\_\_  
County Attorney

**A RESOLUTION APPROVING AN AGREEMENT WITH SPRING CREEK RANCH, LLC AND AN EXPENDITURE OF FUNDS IN THE AMOUNT OF \$98,400.00 FOR THE RIGHTS TO CONNECT THE PROPOSED COTTON CREEK AREA SEWER SYSTEM TO THE SPRING CREEK RANCH PUMP STATION FOR TRANSPORTION OF THE WASTEWATER TO THE TOWN OF COLLIERVILLE PUBLICLY OWNED TREATMENT WORKS AND THIS ITEM REQUIRES AN EXPENDITURE OF COUNTY CIP FUNDS IN THE AMOUNT OF \$98,400.00. SPONSORED BY COMMISSIONER WYATT BUNKER.**

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**WHEREAS,** Some one hundred and two (102) lots are located in the area known as Cotton Creek which includes the subdivisions of Kirkland Estates, Cotton Creek and Fox Hollow Farms (Phases I and II); and

**WHEREAS,** The residents of this area have experienced problems with the septic tanks due primarily to inadequate soil percolation rates; and

**WHEREAS,** The result of these problems represents a health hazard to the neighborhood and downstream water; and

**WHEREAS,** It has been determined that a Low Pressure Sewer System (LPSS) is the most cost effective manner to collect and transport the wastewater from the lots; and

**WHEREAS,** The Town of Collierville has agreed in principle to treat their wastewater flow at the Shelton Road Treatment Plant and a resolution for approval of an agreement with Collierville is an accompanying item to this resolution; and

**WHEREAS,** The Stanford Group in their capacity as operator of the Spring Creek Ranch Country Club has agreed to allow their water to be transported to the Treatment Plant by connection to a Lift (pump) Station owned and operated by the Town of Collierville to which Stanford Group holds capacity rights and obligations; and

**WHEREAS,** The County is agreeing to reimburse Spring Creek Ranch, LLC in the amount of \$98,400.00 for capital costs incurred and a pro-rata share of the up to \$40,000.00 liability assigned to Spring Creek Ranch, LLC in their development agreement with the Town of Collierville; and

**WHEREAS,** AFRAM, Inc. has been retained to study the problems, provide recommendations for correction and prepare construction documents for system installation; and

**WHEREAS,** An amendment to the contract with AFRAM to provide for design of the LPSS is being submitted as a companion item to this resolution; and

**WHEREAS,** Approval of the amendment to the contract with AFRAM is dependent on approval of the agreement with the Town of Collierville; and

**WHEREAS,** It is necessary to appropriate funds in the amount of \$98,400.00 to fund this agreement.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE,** That the Mayor be authorized to sign the Agreement with the Town of Collierville providing for treatment of wastewater from the Cotton Creek area and that such agreement must be in effect prior to signing a contract with AFRAM for the design of plans for the new system.

**BE IT FURTHER RESOLVED,** That funds are hereby appropriated in the amount of \$98,400.00 from the FY 2008-2009 CIP Budget for CIP Project No. 100106, Cotton Creek Sewer System.

**BE IT FURTHER RESOLVED,** That the Mayor and Director of Administration and Finance are hereby authorized to issue their warrant or warrants in amounts not to exceed \$98,400.00 for the purposed contained in this resolution to Spring Creek Ranch, LLC and to proper credit in their accounting therefore.

\_\_\_\_\_  
A C Wharton, Jr., Mayor

Date:\_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Clerk of County Commission

ADOPTED \_\_\_\_\_

**SHELBY COUNTY BOARD OF COMMISSIONERS  
AGENDA ROUTE SHEET**

Referred to Commission Committee Public Works

For Commission Action on \_\_\_\_\_

**DESCRIPTION OF ITEM:**

**A RESOLUTION APPROVING AN AGREEMENT WITH SPRING CREEK RANCH, LLC AND AN EXPENDITURE OF FUNDS IN THE AMOUNT OF \$98,400.00 FOR THE RIGHTS TO CONNECT THE PROPOSED COTTON CREEK AREA SEWER SYSTEM TO THE SPRING CREEK RANCH PUMP STATION FOR TRANSPORTION OF THE WASTEWATER TO THE TOWN OF COLLIERVILLE PUBLICLY OWNED TREATMENT WORKS AND THIS ITEM REQUIRES AN EXPENDITURE OF COUNTY CIP FUNDS IN THE AMOUNT OF \$98,400.00. SPONSORED BY COMMISSIONER WYATT BUNKER.**

**CHECK ALL THAT APPLY BELOW:**

\_\_\_\_\_ This Action does NOT require expenditure of funds.

  X   This Item requires/approves expenditure of funds as follows (complete all that apply):

County General Funds: \$ \_\_\_\_\_; County CIP Funds: \$ 98,400.00

State Grant Funds: \$ \_\_\_\_\_; State Gas Tax Funds: \$ \_\_\_\_\_

Federal Grant Funds: \$ \_\_\_\_\_

Other funds (Specify source and amount): \$ \_\_\_\_\_

Other pass-thru funds (Specify source and amount): \$ \_\_\_\_\_

**Originating Department:** Engineering

**APPROVAL:**

Dept. Head: Michael E. Oakes, P.E. – (901) 545-4332 \ \_\_\_\_\_ \ \_\_\_\_\_  
(Type your name & phone #.) (Initials) (Date)

Elected Official: Commissioner Wyatt Bunker - (901) 545-4301 \ \_\_\_\_\_ \ \_\_\_\_\_  
(Type your name & phone #.) (Initials) (Date)

Division Director: Ted Fox - (901) 545-4565 \ \_\_\_\_\_ \ \_\_\_\_\_  
(Type your name & phone #.) (Initials) (Date)

CIP – A&F Director: Jim Huntzicker – (901) 545-4514 \ \_\_\_\_\_ \ \_\_\_\_\_  
(Type your name & phone #.) (Initials) (Date)

Finance Dept. Mike Swift – (901) 545-4449 \ \_\_\_\_\_ \ \_\_\_\_\_  
(Type your name & phone #.) (Initials) (Date)

County Attorney: Pam Skelton (901) 545-4362 \ \_\_\_\_\_ \ \_\_\_\_\_  
(Type your name & phone #.) (Initials) (Date)

CAO/Mayor: Jim Huntzicker – (901) 545-4514 \ \_\_\_\_\_ \ \_\_\_\_\_  
(Type your name & phone #.) (Initials) (Date)

## SUMMARY SHEET

### **I. Description of Item**

This resolution approves an agreement with the Stanford Group to connect the Cotton Creek Area to the Spring Creek Ranch sewer system.

### **II. Source and Amount of Funding**

#### **A. Amount Expended/Budget Line Item**

##### **FY 2008-2009 CIP BUDGET FOR PROJECT NO. 100106, COTTON CREEK**

Original Allocation	\$ 1,200,000.00
Request in Companion Resolution (AFRAM Award)	< 133,112.20 >
Balance	\$ 1,066,887.80
This Request	\$ 98,400.00
Balance	<u>\$ 968,487.80</u>

#### **B. All Costs (Direct/Indirect)**

1. Spring Creek Ranch, LLC capital costs reimbursement - \$98,400.00
2. Spring Creek Ranch, LLC pro-rata share of up to \$40,000.00 odor abatement liability

#### **C. Additional or Subsequent Obligations or Expenses of Shelby County**

1. Design consultant's fee – \$200,235.36 (\$67,113.16 appropriated in FY 06-07 for study)
2. Estimated construction costs - \$950,000.00

### **III. Contract Items**

- A. Type of Contract
- B. Terms

### **IV. Additional Information Relevant to Approval of This Item**

Over a period of about two decades, developments were approved in these subdivisions upon review by County Health Department officials using only U.S. Soil Conservation Service soils maps. The area is also in the Wolf River floodplain and is, thus, very flat and poorly drained. Over the years, many residents have reported problems with water from the septic tanks standing on their lots. This water should soak (percolate) into the ground but the amount of clays in these local soils make this impossible at an adequate rate. Responsibility for developing in floodplains and determining adequacy of soils for use in support of septic tanks rests with the developer, individual home builder and owner in accordance with State and County Regulations. However, since this problem could eventually result in health problems by pollution of downstream waters, a systemic solution is considered to be in the County's best interest.

AFRAM, Inc. has been retained and has performed a study which confirmed that the soils comprising most of the lots of these subdivisions are unable to percolate properly. Alternatives were considered and the installation of a Low Pressure Sewer System (LPSS) is considered to provide the most efficient solution at the best cost. This system collects the water from the septic tanks by gravity flow,

when possible, and uses small pumps at each tank when gravity flow will not work. This “grey” water is then pumped to a large sewer pump (lift station) where it is pumped along a pressure sewer line (force main) to Collierville’s Shelton Road Wastewater Treatment plant.

While, the lift station is owned by Collierville, Spring Creek Ranch owns most of the capacity rights. Accordingly, agreements are needed with the Town of Collierville and Spring Creek Ranch (The Stanford Group). As part of the Spring Creek Ranch agreement, Shelby County is being asked to reimburse capital costs incurred in the amount of \$98,400.00 and a pro-rata share of a \$40,000.00 odor abatement liability assigned in the development agreement with the Collierville. Finally, an amendment with AFRAM, Inc. is required to produce the construction drawings (CD’s) for the LPSS. The Town of Collierville and AFRAM resolutions have been prepared and accompany this resolution. Funding in the amount of approximately \$1.1 M has been provided in the FY 09 Budget to design and construct the system.